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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CANHAM et al.

Serial No. 09/744,152

Filed: January 22, 2001

Atty. Ref.: 1

124-821

Group:

Examiner:

For: SILICON MICRO-MACHINED PROJECTION WITH DUCT

March 27, 2001

Assistant Commissioner for Patents Washington, DC 20231

Sir:

TC 172001

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371

Responsive to the Notification of Missing Requirements mailed March 1, 2001 (a copy of which is attached), it is respectfully submitted that the executed Declaration was filed on February 8, 2001. A copy of the PTO mail room date-stamped postcard indicating receipt of the executed Declaration is attached hereto.

Confirmation of receipt of the executed Declaration is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

Stanley C. Spooner

Reg. No. 27,393

SCS:kmm

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NIXON & VANCERHYE STE FLOOR 1100 NORTH GLEBE RUAD ARLINGTON VC 2224

INTERNATIONAL API	F67/9899/	<del>-1</del> 381
I.A. FILING DATE	PRIORITY DATE	$\neg$
	/22799	07/22/9
07/	Add Total	

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark

DATE MAILED:

Office as	a Designated Office (37 CFR 1.494),	
	an Elected Office (37 CFR 1.495):	DOCKETED
☑ U.S.	Basic National Fee.	BOOKETED
Copy	of the international application in:	OLT/MATTER # 124- 821
<i>_</i> _	a non-English language.	
	English.	AIL DATE 3110
☐ Tran	slation of the international application into English.	WE DATE ZDYN 1,7001
	or Declaration of inventors(s) for DO/EO/US.	DEADLINE YEAT 1700/
Copy	y of Article 19 amendments.	100 TO DOY NEW MICS
☐ Tran	slation of Article 19 amendments into English.	· · · · · · · · · · · · · · · · · · ·
The	International Preliminary Examination Report in Engi	ish and its Annexes, it any.
☐ Tran	slation of Annexes to the International Preliminary E	xamination Report into English.
✓ Preli	iminary amendment(s) filed 22 Quitou	ind
☑ Info	rmation Disclosure Statement(s) filed	$\infty$ and
<b>⊿</b> Assi	gnment document.	·
	er of Attorney and/or Change of Address.	
	stitute specification filed	•
	ement Claiming Small Entity Status.	•
Prio	rity Document.	tate and annual shounds
	y of the International Search Report 🗹 and copies of	me references cited therein.
Orpo	ET:	forth halow in order to complete the requirements for
		t forth below in order to complete the requirements for
	under 35 U.S.C. 371:	accesing for will be required if submitted
□ a. 1	ranslation of the application into English. Note a pro	cessing fee will be required it submitted
12	ater than the appropriate 20 or 30 months from the pr The current translation is defective for the reaso	no indicated on the attached Notice of Defective
		is mulcated on the attached Notice of Defective
	Translation.	iestion and/or the Annayes later that the
□ 6. P	Processing fee for providing the translation of the appl	CED 1 402(6)
a	ppropriate 20 or 30 months from the priority date (37	th 37 CFR 1.497(a) and (b), identifying the application
Øc. C	Jain or declaration of the inventors, in compliance wi	of filing date
D	by the International application number and internation	with 37 CFR 1.497(a) and (b) for the reasons indicated
	on the attached PCT/DO/EO/917.	Will 37 CTR 1.437(a) and (b) for the remoin mentals
<b></b>	on the attached PC 17BO/E07917.  Surcharge for providing the oath or declaration later the	ast the appropriate 20 or 30 months from the
<u>⊿</u> a. s	surcharge for providing the bath of declaration later to	lat the appropriate 20 of 50 monata from the
P O Addision	oriority date (37 CFR 1.492(e)).  nal claim fees of \$ as a _ large entity	small entity including any required multiple
3. Addition	alair for are required. Applicant must submit the ac	iditional claim fees or cancel the additional claims for
dependent o	are due (37 CFR 1.492(g)). See attached PTO-875.	initional claim toos of canon are additional commission
which lees	are due (3) CFR 1.492(g)). See attached F10-8/3.	•
ALL OF T	THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABO	OVE MUST BE SUBMITTED WITHIN ONE
MONTH I	FROM THE DATE OF THIS NOTICE OR BY	21 OR 7 31 MONTHS FROM THE PRIORITY
DATE EO	D THE ADDITION WHICHEVED IS LATE	FATURE TO PROPERLY RESPOND WILL

MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later that the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Serial No.: 09/744,152 Inventor/s: CANHAM et al. Atty: Stanley C. Spooner Date: February 8, 2001

C#/M#: 124-821

Title: SILICON MICRO-MACHINED PROJECTION WITH

DUCT

Amendment

Pages Specification, Claims & Abstract

Claims

**Sheets of Drawings** 

X Declaration ( Pages)

Assignment ( Pages) Including Bove

Priority Document(s)

Base Issue Fee Transmittal

\$ Fee (Check)

Other: 2nd Submission Trans Ltr to DO/EO/US

ا الممرة	· '							
FORM (REV 1	PTO-1: 11-98)	390 U.S. DEPARTMENT O	ERCE PATENT AND TRADEMARK OFFICE	ATTC YS DOCKET NUMBER 1 124-821				
	TRANSMITTAL LETTER TO THE UNITED STATES  DESIGNATED/ELECTED OFFICE (DO/EO/US)  CONCERNING A FILING UNDER 35 U.S.C. 371  U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  09/744,152							
INTER	INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED							
	PCT/GB99/02381 22 July 1999 22 July 1998							
TITL	TITLE OF INVENTION SILICON MICRO-MACHINED PROJECTION WITH DUCT							
APPI	LICAN	IT(S) FOR DO/EO/US	CANHAM et al.					
Appli	cant h	nerewith submits to the Unite	d States Designated/Elected Office (DO/EC	O/US) the following items and other information:				
1.		This is a FIRST submission	of items concerning a filing under 35 U.S.C.	. 371.				
2.	$\boxtimes$	This is a SECOND or SUBS	EQUENT submission of items concerning a	a filing under 35 U.S.C. 371.				
3.		This is an express request to examination until the expiration	o begin national examination procedures (3: ion of the applicable time limit set in 35 U.S	5 U.S.C. 371(f) at any time rather than delay .C. 371(b) and PCT Articles 22 and 39(1).				
4.		A proper Demand for Intern- from the earliest claimed pri	ational Preliminary Examination was made to ority date.	by the 19 <sup>th</sup> month				
5.	A co	py of the International Applic	ation as filed (35 U.S.C. 371(c)(2)).					
	a. b. c.	b. has been transmitted by the International Bureau.						
6.		A translation of the Internati	onal Application into English (35 U.S.C. 371	(c)(2)).				
7.		Amendments to the claims	of the International Application under PCT A	Article 19 (35 U.S.C. 371(c)(3)).				
	a. b. c. d.	have been transmitted	ith (required only if not transmitted by the Informational Bureau.  The however, the time limit for making such ame and will not be made.					
8.		A translation of the amendr	nents to the claims under PCT Article 19 (U.	.S.C. 371(c)(3)).				
9.	$\boxtimes$	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).						
10.		A translation of the annexe (35 U.S.C. 371(c)(5)).	s to the International Preliminary Examination	on Report under PCT Article 36				
Iten	Items 11. To 16. Below concern document(s) or information included:							
11.		An Information Disclosure	Statement under 37 C.F.R. 1.97 and 1.98.					
12.		An assignment document f 37 C.F.R. 3.28 and 3.31 is	or recording. A separate cover sheet in con included.	npliance with				
13.		A FIRST preliminary amen A SECOND or SUBSEQUE	dment. ENT preliminary amendment.					
14.		A substitute specification.		•				
15.		A change of power of attor	ney and/or address letter.					

☐ "Small entity" statement attached.

16. Other items or information.This application is entitled to "Small entity" status.

U.S. APPLICATION NO. (If known, see 37 C.F.R INTERNATIONAL APPLICATION NO. ATTORNEY'S DGCKET PCT/GB99/02381 124-821					NUMB	ER			
	The following fees are submitted: (\$1278.00 filing fees paid on January 22, 2001)			CALCULATIONS PTO USE ONLY			JSE ONLY		
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):									
Neither internation nor international s	nal preliminary earch fee (37	examination	n fee (37 C.F.R. 1.482) 5(a)(2)) paid to USPTO ed by the EPO or JPO	s	1000.00				
International oreli	minarv examir	nation fee (3	7 C.F.R. 1.482) not paid to pared by the EPO or JPO	0					
International preli	minary examir	nation fee (3	7 C.F.R. 1.482) not paid to 5(a)(2) paid to USPTO	USPTO					
International preli	minary examir	nation fee pa	id to USPTO (37 C.F.R. 1 CT Article 33(1)-(4)	.482)					
International preli	minary examir	nation fee pa	id to USPTO (37 C.F.R. 1	.482)					
and all claims sat	istiea provisioi	ns of PCT A	rticle 33(1)-(4)			\$	0.00		
Surcharge of \$130.00 fo months from the earliest			claration later than 20	□ 30		\$	0.00		
CLAIMS	NUMBER		NUMBER EXTRA	R/	\TE	-			
Total Claims	. 13/11021	-20 =	0	Х	\$18.00	\$	0.00		
Independent Claims		-3 =	0	X	\$80.00		0.00		
MULTIPLE DEPENDEN	T CLAIMS(S)	(if applicable	9)		0.00	\$	0.00		· · <del>-</del> · -
			TOTAL OF A			\$	0.00		<u></u>
		y, if applicat	ole. Small entity status mu	ust also be as	serted.		0.00		
(Note 37 Ç.F.R. 1.9, 1.2)	7, 1.28).				UBTOTAL =	\$	0.00	-	
Drananian for of \$120 (	O for furnishi	na tha Engli	sh Translation later than [		UBIUIAL =	3	0.00	<del>                                     </del>	
months from the earliest	claimed priori	ng the ⊑ng⊪ itv date (37 (	CFR 1 492(f))				0.00		
months nom the cames	Claimed phon	ity date (or	1		ONAL FEE =	\$	0.00		
Fee for recording the en	closed assign	ment (37 C.I	F.R. 1.21(h)). The assign	ment must be	)				
accompanied by an app	ropriate cover	sheet (37 C	.F.R. 3.28, 3.31). <b>\$40.00</b>	per property	+	\$	0.00	L	
Fee for Petition to Reviv	e Unintentiona	ally Abandor	ned Application (\$1240.00	- Small Entit	y = \$620.00)	\$	0.00 <b>0.00</b>	├	
			10	IAL FEES E	NCLOSED =	\$	mount to be:		
						l ~	refunded	\$	
							Charged	\$	
<ul> <li>a.  A check in the amount of \$0.00 to cover the above fees is enclosed.</li> <li>b. Please charge my Deposit Account No. 14-1140 in the amount of \$ to cover the above fees. A duplicate copy of this form is enclosed.</li> </ul>									
c.   The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.									
d. The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.									
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status									
·				,	X///				
SEND ALL CORRESPO	ONDENCE TO	):		SIGNAT	URE /		Jonn	·	<del></del>
NIXON & VANDERHYE P.C.  1100 North Glebe Road, 8 <sup>th</sup> Floor					$\smile$ )				
Arlington, Virginia 2220 Telephone: (703) 816-4	Arlington, Virginia 22201 Telephone: (703) 816-4000 Stanley C. Spooner								
NAME									
									n.a
27,393 REGISTRATION NUMI						February 8, 2001			
1				REGIST	RATION NUMB		Date		

## RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

			rco- Machined Projection			
the spec	ification of which (check	( applicable box(s)):	· C	iii willi bud	-	
is	attached hereto		•			
	as filed on		as U.S. Application	Serial No.		
⊠ w	as filed as PCT Internation	onal application No.	PCT/GB99/02381	on	22/07/199	9
and (if a	pplicable to U.S. or PCT	application) was amended on	08/08/2000		2.5077105	<u> </u>
37 C.F.F below ar priority is Priority F	It. 1.58. I hereby claim for id have also identified be a claimed or, if no priority foreign Application(s):	areign priority benefits under 35	is u.S.C. 119/365 of any patent or inventor's car	material to the participation	entability of	tims, as amended by any this application in accordance with int or inventor's certificate listed ore that of the application on which
	don Number		Country			Day/Month/Year Filed
9815820	.7		GB			22/07/1998
i hereby	claim the benefit under 3	MS OF this application is not disc	Date/Month/Year Filed	itemational applications in the ma	itions listed	above or below and, insofar as the ed by the first paragraph of 35
0.3.0.	12, i acknowledge the qu	uty to disclose material informs PCT international filing date of the	tion as defined in 37 C.I	F.R. 1.56 which oc	curred betw	een the filing date of the prior
Prior U.S Applicat	SJPCT Application(s): Ion Serial No.	v.	Day/Month/Year Filed			Status: patented pending, abandoned
						Powering, apendonion
PCT/GB	99/02381	7	22/07/1999			PENDING
I hereby be true: a imprison application 22201-47 address) connecte 30184; R Spooner, Thomas	declare that all statement and further that these statement, or both, under Secondor any patent issued the statement of the statement is sued that the statement of the statemen	itements were made with the kittion 1001 of Title 18 of the Unlinhereon. And I hereby appoint I (703) 816-4000 (to whom all ciely my attomers to prosecute tely my attomers to the Arthur R. Critichard G. Besha, 22770; Markhard, 29009; Duane M. Byers, Wilson, 32955; J. Scott David:	22/07/1999  Medge are true and that nowledge that willful falsed States Code and that MIXON & VANDERHYE communications are to this application and to transford, 25327; Larry S. E. Nusbaum, 32348; Melson 33363; Jeffry H. Nelson 500, 33489; Alan M. Ka	t all statements and at such willful faise P.C., 1100 North be directed), and ansact all busines Nixon, 25640; Rotichael J. Keenan, 30481; John R. L. 1991, 2018,	the like so restaurnents Glebe Rd., I the following the Patheert A. Vanda 22106: Bryanstova, 331 m J. Griffin, Jackson, 4	PENDING  mation and belief are believed to made are punishable by fine or may jeopardize the validity of the 8 <sup>th</sup> Floor, Arlington, VA
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I hereby be true; a imprison application 22201-47 address) connecte 30184; R Spooner, Thomas B. J. Sad	declare that all statement and further that these statement, or both, under Section or any patent issued the statement of the statement is sued that the statement of the statem	tements were made with the kittion 1001 of Title 18 of the Unlithereon. And I hereby appoint I (703) 816-4000 (to whom all citely my attorneys to prosecute resulting patent: Arthur R. Critichard G. Besha, 22770; Markhard, 29009; Duane M. Byers, Wilson, 32955; J. Scott Davidrquist, 34776; Updeep S. Gill, Sept.	22/07/1999  Medge are true and tha cowledge that willful false ded States Code and the NIXON & VANDERHYE communications are to this application and to trawford, 25327; Larry S. E. Nusbaum, 32348; M 33363; Jeffry H. Nelson 637334; Michael J. Sheal T. Mil	t all statements made statements and at such willful faise P.C., 1100 North be directed), and ansact all busines Nixon, 25640; Rotichael J. Keenan, 30481; John R. L. gen, 36178; Willian, 34725; Donald L.	the like so restaurnents Glebe Rd., I the following the Patheert A. Vanda 22106: Bryanstova, 331 m J. Griffin, Jackson, 4	mation and belief are believed to made are punishable by fine or may jeopardize the validity of the 8 <sup>th</sup> Floor, Arlington, VA ng attorneys thereof (of the same ent and Trademark Office lerhye, 27076; James T. Hosmer, in H. Davidson, 30251; Stanley C. 49; H. Warren Burmam, Jr. 29366; 31260; Robert A. Molan, 29834; 1090; Michelle N. Lester, 32331.*
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FOR ADDITIONAL INVENTORS, check box 🔯 and attach sheet with same information and signature and date for each.

# RULE 63 (37 C.F.R. 1.63) ECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#### Page 2

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